

Attorney Docket No. 8325-0002.21

PATENT



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By: Diane Kizer
Diane Kizer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of CASE et al.

Serial No.: 09/942,087

Examiner: Unassigned

Confirmation No.: 7166

Art Unit: 1631

Filed: August 28, 2001

For: MODULATION OF ENDOGENOUS GENE EXPRESSION IN CELLS

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

- [x] Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- [x] Enclosed is a copy of a non-English publication (EP 875 567). English language publication (6,160,091) (copy enclosed) claims priority from the same PCT application as this non-English publication.
- [x] An explanation of non-English publication (WO 96/11267) for which an English translation is not available is as follows:

WO 96/11267 relates to a DNA sequence from the cervical carcinoma cell line E180 which encodes a zinc finger protein. WO 96/11267 discloses both the nucleic acid sequence and the encoded amino acid sequence of the zinc finger protein. Additionally, the reference relates to the use of the disclosed zinc finger protein in a diagnostic capacity. Specifically, the affinity of the disclosed zinc finger protein for a target DNA sequence is described. Applicants also direct the Examiner's attention to the English language abstract on the cover page of WO 96/11267.

☐ Enclosed is an English translation of non-English publication(s) ___ cited in the attached Form PTO/SB/08A.

☐ Enclosed is a copy of pending patent Application Serial No. ___.

This Information Disclosure Statement is filed within any one of the following time periods:

- ☐ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- ☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- ☒ before the mailing date of a first office action on the merits; or
- ☐ before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: 24 Sep 03

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INFORMATION DISCLOSURE CITATION

PTO FORM 1449

Attorney Docket No.
S2-US5
(8325-0002.21)U.S. Serial No.
09/942,087

Applicant: CASE et al.

Filing Date: August 28, 2001

Group Art Unit 1631

Examiner: Unassigned

U.S. PATENTS

Ex'r Initials	Ref No.	Document No.	Date	Name	Class	Subclass	Filed
	A-1	4,990,607	February 5, 1991	Katagiri et al.			
	A-2	5,096,814	March 17, 1992	Aivasidis et al.			
	A-3	5,096,815	March 17, 1992	Ladner et al.			
	A-4	5,198,346	March 30, 1993	Ladner et al.			
	A-5	5,223,409	June 29, 1993	Ladner et al.			
	A-6	5,243,041	September 7, 1993	Fernandez-Pol			
	A-7	5,302,519	April 12, 1994	Blackwood et al.			
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	A-12	5,348,864	September 20, 1994	Barbacid et al.			
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							YES	NO
	B-1	WO 92/02536	February 20, 1992	PCT				
	B-2	WO 95/11922	May 4, 1995	PCT				
	B-3	WO 95/19431	July 20, 1995	PCT				
	B-4	WO 96/06110	February 29, 1996	PCT				

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B-5	WO 96/06166	February 29, 1996	PCT				
B-6	WO 96/11267	April 18, 1996	PCT				
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B-11	WO 98/53057	November 26, 1998	PCT				
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	C-6	Beerli et al., "Toward Controlling Gene Expression at Will: Specific Regulation of the erbB-2/HER-2 Promoter by Using Polydactyl Zinc Finger Proteins Constructed From Modular Building Blocks," <i>Proc. Natl. Acad. Sci. U.S.A.</i> 95:14628-14633 (1998)
	C-7	Beerli et al., "Positive and negative regulation of endogenous genes by designed transcription factors," <i>Proc. Natl. Acad. Sci. U.S.A.</i> 97:1495-1500 (2000)
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C-45	Frankel et al., "Fingering Too Many Proteins," <i>Cell</i> 53:675 (1988)
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C-49	Gillemans et al., "Altered DNA Binding Specificity Mutants of EKLF and Spl Show that EKLF is an Activator of the b-Globin Locus Control Region <i>in vivo</i> ," <i>Genes and Development</i> 12:2863-2873 (1998)
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C-76	Kim et al. "Transcriptional repression by zinc finger peptides. Exploring the potential for applications in gene therapy" <i>J. Biol. Chem.</i> 272:29795-29800 (1997)
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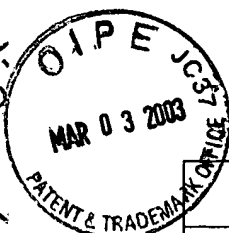
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